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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 MARK GLEN GROCE,

12 Plaintiff,

13 v.

14 THEODORE BERNARD CLAUDAT,
d/b/a QUALITY INSTANT PRINTING,

15 Defendant.
16

Case No. 09cv01630 BTM (WMc)

**ORDER GRANTING LEAVE TO
FILE SECOND AMENDED
COMPLAINT**

17 On January 31, 2012, Plaintiff filed the present motion for leave to file a second
18 amended complaint (Doc. 67), attaching as an exhibit a proposed second amended
19 complaint (Doc. 67-1). The proposed second amended complaint differs substantively from
20 the First Amended Complaint only insofar as it seeks to add Quality Instant Printing, Inc., and
21 DOES 1-X as defendants in this action.

22 Rule 20(a)(2) permits joinder of additional defendants. Rule 20 “is to be construed
23 liberally in order to promote trial convenience and to expedite the final determination of
24 disputes, thereby preventing multiple lawsuits.” League to Save Lake Tahoe v. Tahoe Reg’l
25 Planning Agency, 558 F.2d 914, 917 (9th Cir. 1977). The Court finds that Quality Instant
26 Printing, Inc. is an appropriate party to join as a defendant.

27 Once the requirements of Rule 20 are met, “a district court must examine whether
28 permissive joinder would comport with the principles of fundamental fairness or would result

1 in prejudice to either side.” Coleman v. Quaker Oats Co., 232 F.3d 1271, 1296 (9th Cir.
2 2000). Defendant asserts prejudice on the ground that if Plaintiff’s motion is granted,
3 Defendant will be deprived sufficient opportunity “to request discovery in relation to the
4 corporation.” (Opp. Br., Doc. 73, at 3.) It would seem that any documents relevant to the
5 corporation would already be in the possession of Defendant, who is listed as the agent for
6 service of process for Quality Instant Printing, Inc. in the “Business Entity Detail” attached
7 to Defendant’s response. See Doc. 73-2. However, to the extent Defendant maintains that
8 he is prejudiced, he may move to request the reopening of discovery.

9 For the reasons set forth above, the Court GRANTS Plaintiff’s motion (Doc. 67) and
10 ORDERS that the Clerk shall file as the Second Amended Complaint the proposed second
11 amended complaint attached to Plaintiff’s motion (Doc. 67-1).

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13 **IT IS SO ORDERED.**

14 Dated: September 16, 2012


HONORABLE BARRY TED MOSKOWITZ
United States District Judge